

heat-treating the agglomerated precursor to convert the fatty acid metal salt into the amorphous metal compound and to produce a particle agglomerated product.

10. The method of claim 9 wherein the fatty acid metal salt is used in the form of an aqueous solution.

11. The method of claim 9 wherein the carbonaceous material has an average diameter of 3 to 20  $\mu\text{m}$  and the particle-agglomerated product has an average diameter of 6 to 40  $\mu\text{m}$ .

13. The method of claim 9 wherein the fatty acid metal salt is tin acetate.

14. The method of claim 9 wherein the metal compound includes one or both of  $\text{SnO}_2$  or  $\text{SnO}$ .

15. The method of claim 9 wherein the heat-treating is performed at 250 to 800  $^{\circ}\text{C}$ .

#### **REMARKS**

Claims 1 to 4, 6 to 11, and 13 to 15 are pending. Applicants have amended claim 1. Attached hereto is a marked-up version of the changes made to the above-identified application by the current amendment, which is captioned "Version with markings to show changes made." The amendment to claim 1 finds full support in the original specification and claims, for example, at page 5, line 23, to page 6, line 5. No new matter is presented. This Amendment is being submitted with a Request for Continued Examination, and thus it is proper for these amendments to be entered. In view of the above amendments and following remarks, Applicants respectfully request favorable reconsideration and a timely indication of allowance.

In the Advisory Action, the Examiner maintained the rejection of claims 1 to 4, 7 and 8 under 35 U.S.C. § 102(e) as allegedly anticipated by Goda et al. (U.S. Patent No. 6,004,695). Applicants respectfully traverse this rejection.

Claim 1 has been amended to recite that the amorphous metal compound is derived from a fatty acid metal salt. This limitation is neither taught nor suggested by Goda. Further, as set forth in the

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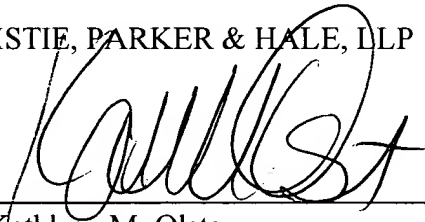
declaration of Keiko Matsubara, submitted on December 9, 2002, the product produced in accordance with the claimed invention is different from that produced as disclosed in Goda. Accordingly, this amendment overcomes the rejection over Goda, and Applicants respectfully request that it be withdrawn.

In view of the foregoing, Applicants respectfully submit that all of pending claims 1 to 4, 6 to 11, and 13 to 15, as amended, are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicants invite the Examiner to contact the undersigned

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims**

Please amend claim 1 as follows:

1. (Twice Amended) A negative active material for a rechargeable lithium battery comprising a particle-agglomerated product comprising a carbonaceous material and an amorphous metal compound that is derived from a fatty acid metal salt, the carbonaceous material being a material into or from which lithium is intercalated or deintercalated, and the amorphous metal compound being able to make an alloy with lithium and including one or more metals selected from the group consisting of Sn, Ag, Fe, Pd, Pb, Al, Si, In, Ni, Co, An and Cd.

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